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Irrigation.*Alleged protest against the construction of Kattalai dam.*

161 Q.—Mr. C. MARUTHAVANAM PILLAI : Will the hon. the Law Member and the hon. the Member for Revenue be pleased to state—

(a) whether the Government have received any protest from the mirasidars of Tanjore district against the construction of the Kattalai dam across the Cauvery in Trichinopoly district;

(b) whether the Government propose to further investigate the matter and if not, why not; and

(c) whether the Government will be pleased to place before the Council the entire correspondence on the subject or make a clear statement thereon?

A.—(a) Yes.

(b) & (c) A special staff has been sanctioned for the investigation of the whole scheme and the investigation is going on. Detailed plans and estimates have been called for from the Superintending Engineer. In order to prevent a total failure of crops under some of the Korambu channels in the Trichinopoly district which is inevitable under the present altered conditions of the Cauvery channels, caused by last year's floods, the immediate execution of some urgent works for picking up the existing channels down to the Uyyacondan channel has been ordered.

Public Works.

Conferment of certain powers on the subordinate officers in the Department of Public Works.

162 Q.—Mr. C. MARUTHAVANAM PILLAI : Will the hon. the Law Member and the hon. the Minister for Education be pleased to state—

(a) whether the Government have received any letter from Rao Bahadur K. S. Venkatarama Ayyar Avargal of Negapatam regarding the conferment of certain discretionary and other powers on the subordinate officers of the Department of Public Works; and

(b) whether the Government propose to take any action thereon and if so, what it is?

A.—(a) Yes.

(b) The matter has been referred to the Chief Engineer.

III

MOTION FOR THE ADJOURNMENT OF THE HOUSE TO DISCUSS
MR. COURTENAY'S REPORT ON GOOTY PUNITIVE POLICE.

[Note.—An asterisk * at the commencement of a speech indicates revision by the Member]

* Mr. A. RAMASWAMI MUDALIYAR : —“ Sir, I beg to move—

‘ that the business of the House be adjourned to discuss a definite matter of urgent public importance, viz., the question of expunging from the published records the remarks made against and the reflections cast on an hon. Member of this House in the report of Mr. Courtenay and the Government Order thereon.’

“ I move this under Rule 11 of the Madras Legislative Council Rules.”

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* The hon. the PRESIDENT:—"Before I give my ruling whether the matter is in order, I should like to know if any hon. Member wishes to point out any reason why it is not in order."

Mr. C. RAMALINGA REDDI:—"Have the report and the Government Order been placed on the table of the House?"

* The hon. Sir C. P. RAMASWAMI AYYAR:—"No, Sir."

* Mr. J. A. SALDANHA:—"I should like to know, Sir, how this is a matter of *primary concern* to this House; I am not against the motion, Sir, but I simply want to know this point."

Mr. C. RAMALINGA REDDI:—"May I know whether it would be in order to discuss the report and the Government Order when they are not placed on the table of the House? After obtaining your ruling on this point, I would address myself to the other point. Or, if you want me to mention the other point now, I shall do so. The question is whether it would be in order for us to take cognizance of things which were done by my hon. Friend, Mr. Kesava Pillai, in his private capacity and not primarily as a Member of the Legislative Council. Once before we discussed the conduct of a District Collector who passed some remarks about the proceedings of this Council. He evidently referred to an hon. Member in connexion with what he did here and as a Member of this Council. But in this case it appears to me that it is a private matter with which it would be rather difficult to connect this Council. The subject matter of this motion is important, I do not want to deny that. But whether it is a matter of public interest is a different question. My submission is that no reference has been made to the conduct of any Member of this Council as a Member of this Council, to what he did in this Council or to any proceedings of this Council. I therefore fail to see how we can legitimately take cognizance of this report and the Government Order thereon."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Mr. President, I do not understand what the hon. Member for Chittoor means when he says that the matter relates to things done by Mr. Kesava Pillai in his private capacity. Those who have known him for the last 35 or 40 years know him as a public man. We all know him as a Member of the Legislative Council, we have known him as a Member of the Forest Committee who had done some service to this Presidency; we have known him as a member of the Jail Committee; we have known him as a representative of this province and of this country to the far off Fiji Islands; we have known him as the Joint Secretary of the great Indian National Congress. If such a public man with such a record of 40 years' service is condemned in a document under circumstances which perhaps left him no option to choose his own method of defence, it is the duty of a Council like this to protect the individual concerned from such attacks."

Mr. C. RAMALINGA REDDI:—"My hon. Friend, Sir K. V. Reddi Nayudu, has to a certain extent—I do not think he has deliberately
12-15 p.m. intended it—put me in the wrong. I yield to none in my admiration for the hon. Diwan Bahadur P. Kesava Pillai. I know he was a member of the Forest Committee, he was a member of the Jails Committee and he was a Secretary of the Indian National Congress, and that he filled

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very important places with great credit to himself and to the public life of this country. But the point is how the present transaction has any relationship to either his membership of the Jails Committee or the Forest Committee, or the Secretaryship of the Indian National Congress or even the membership of this Council. That public men are not public men all the twenty-four hours of the day is a well-known fact. They have to look to their own interests. They have got interests in commerce and so many other things and I really do not see how anything said in regard to capacities not related to the membership of this Council should be taken cognizance of by us as a matter of public interest.

"The other point is that this is not the proper place for giving my hon. Friend, Diwan Bahadur P. Kesava Pillai, an option of meeting the charges made against him or refuting them. That raises a different question altogether, namely, that Diwan Bahadur P. Kesava Pillai or his friends or those interested in the matter should ask for a further committee of inquiry or for proofs for meeting those charges. Here we are asked to expunge a certain portion of the report to consider this matter as a matter of public importance. As regards the option of meeting those charges, it is on their own account and on their own initiative the people of Anantapur district got a committee of inquiry as to the propriety of imposition of punitive police in the Anantapur district. Therefore Mr. Kesava Pillai or anybody who is interested in this matter might move the Government or seek relief in some other way. My main contention is that this is not a matter of public interest. However, I submit to your ruling, Sir.

"The other point that I want to place before you is whether there is any urgency about this matter. That is another thing. The chief point is this is a matter which concerns a member in his private capacity, and not as a member of this Council."

Rao Bahadur C. NATESA MUDALIYAR :—"May I inform my hon. Friend from Chittoor that my hon. Friend Mr. Kesava Pillai is the Deputy President of this august body. The insinuation in the report is that taking advantage of his position as a public man, he has used it for his private purpose. The hon. Member from Chittoor has also told us that all of us are not public men for all the twenty-four hours in a day. We have known at least for some years that Mr. Kesava Pillai used all his twenty-four hours for public purposes. He has done more work than most of us in this Council."

* MR. A. RAMASWAMI MUDALIYAR :—"As a mover of this motion, I feel that I should have my last say in the matter. The first question is that my hon. Friend from Mangalore"

Mr. J. A. Saldanha rose to speak.

* MR. A. RAMASWAMI MUDALIYAR :—"My hon. Friend will not even listen to what I say. He has got some occult means of finding out what I am going to say.

"Anyhow, Sir, coming to the point, objection has been raised that all the necessary papers have not been placed on the table of this House for the information of the members. I may say that they have been placed on the Editors' table and when once they have been placed on the Editors' tabl

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they are public property. They have been published in every newspaper and if I am wrong the hon. the Law Member will correct me. There is no rule which lays down that papers should be placed on the table of the House. The only thing that is required for moving adjournment motions is that the matter should be one of urgent public importance. If it is urged that this adjournment motion should be moved only after the connected papers have been placed on the table of the House, then am I to take the earliest opportunity of going to the hon. the Law Member and asking him whether he is prepared to place all the connected papers on the table of the House, and, if so, when they will be placed? Probably it may take some months for him to place all the relative papers on the table of the House. Under these circumstances I do not think that is any objection at all.

"The more vital point is the one which was raised in the speech made by the hon. Member from Chittoor. The hon. Member says this is not a public matter. I take up this position, viz., that even in private matters adjournment motions of this kind have been brought forward. There are abundant instances in the reports of the House of Commons to show that private grievances which according to the members making those adjournment motions have been unjustly caused by the Government, were made the subject of adjournment motions. Now it is admitted that there is slander cast against a private member in an official document. If I am given the opportunity of going through the various reports of the House of Commons, I can point out that instances of this nature have been brought forward as adjournment motions. However, it is not necessary for me to take up that extreme position now. All that I am concerned is to show that this adjournment motion has been brought forward because Mr. Kesava Pillai has been slandered in that report in his public capacity as such and not in his private capacity. If hon. Members will turn to that particular paragraph they will satisfy themselves that it is his public capacity that has been taken into consideration by Mr. Courtenay in making his observations. Mr. President, you will kindly bear with me if I read that paragraph from Mr. Courtenay's report:—'In a different manner and with no less disastrous results Mr. Kesava Pillai has sought to undermine the machinery of Government,' (a charge of a graver nature I cannot conceive of being levelled against any man public or private), 'and I do not think that it is any exaggeration to say that his attitude is reflected in the unlawful acts of those whose cause he espouses. Gentlemen who were unwilling to come forward publicly assured me in private that Mr. Kesava Pillai has used toward Sub-Magistrates and other subordinate officials language which is the cause of public scandal and I am convinced that he abused his position.' What position, Sir, may I ask my hon. Friend, is there to which Mr. Courtenay could possibly have taken objection to? Is it not obvious that he refers to his public position? Where is the limit to be drawn to that position? I say that Mr. Courtenay is referring to him as a Member of the Legislative Council and as the Deputy President of the Council. And if it is not this position that Mr. Courtenay is referring to, then what else is it? Sir, what does the public understand by that sentence? What have newspapers understood by that sentence and what has my hon. Friend from Chittoor made out after he has studied that paragraph—he is a good scholar in English, I admit—and what is the position that Mr. Courtenay is referring to? Is it his private

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position as an humble pleader who has not come to the lime light of politics? Then, Sir, take the Government Order. It says they did not expect it from one from whom more had been expected. Why, what is it that you expect from Mr. Kesava Pillai as an ordinary citizen, as a second grade pleader? Do you expect this or that from one who has been a member of the Legislative Council for a long time?"

MR. A. RANGANATHA MUDALIYAR:—"I am sorry it is defaming a second-grade pleader if you say that nothing is expected of him."

* MR. A. RAMASWAMI MUDALIYAR:—"I shall just read the sentence from the Government Order: 'The Government have a right to expect greater sense of responsibility'. I ask the hon. the Law Member whether this sentence does not refer to Mr. Kesava Pillai. So long as the Government Order does not state that it does not refer to Mr. Kesava Pillai, I dare say that it does refer to him. Sir, who are the persons from whom we have a right to expect a greater sense of responsibility? I suppose not from a poor individual but from one who is occupying the position of Deputy President in this House. Sir, we have nothing to do either with Mr. Courtenay or the hon. the Law Member who has issued this Government Order. This Government Order which has been drafted in the English language, it is said, does not refer to Mr. Kesava Pillai in his public position. If it does not refer to him in his public position, in what other capacity does it refer to him? There are other portions of the report which refer to his private position. I am not going to touch upon them. One of my hon. Friends asked me what the particular paragraph was to which I wanted to refer and I will satisfy him by confining my attention to that particular paragraph where Mr. Kesava Pillai as a public man has been questioned, where his position as a public position has been undermined and where his character has been slandered."

MR. C. RAMALINGA REDDI:—"May I take it that my hon. Friend takes exception to the paragraph just now read?"

* MR. A. RAMASWAMI MUDALIYAR:—"Yes, it is to that paragraph that I want to confine my attention."

"There is another aspect of the question to which I want to refer. My hon. Friend was good enough to say, when he raised his objection to this motion, that he was asked to do so on the ground that it is not a matter of urgency. I cannot conceive of a more urgent matter than this: the Deputy President, one of our Colleagues, has been libelled, slandered and all sorts of imputations have been cast upon him. Is it not urgent that an adjournment motion should be moved? I wonder how we can obey his rulings when he presides in that Chair as Deputy President unless those imputations are either confirmed or cleared or apologised for. Do you mean to suggest that this is not a matter of public importance? I ask what else can be more publicly important? If I had the matter in my hands, and if the rules had permitted, I would have sent a requisition for a special meeting of the Legislative Council to be called for to consider this point. It is not an ordinary question. This sort of imputation upon the Deputy President of this hon. House cannot be allowed for a single moment to pass unchallenged unless we wholeheartedly confirm the action of the Government or as a body agree that the

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Government were not right in casting these imputations and they were utterly wrong in slandering the Deputy President of this hon. House. The matter is a complicated one. The hon. the Deputy President has been elected unanimously and I do not know whether there can be any other matter which is more urgent than this. I do not know if I can discuss the question further. I do feel that this is a matter of urgent public importance in which a public man has been slandered in a public manner. I do feel therefore that my motion is in order in spite of the points which have been raised and which may also hereafter be raised."

* Mr. R. SRINIVASA AYYANGAR :—" Mr. President, the question of order 12-30 p.m. seems to me to be intimately connected with the question of jurisdiction in regard to the motion now under consideration. It seems to me that so far as this House is concerned it cannot arrogate to itself jurisdiction which it does not possess. For, one portion of the resolution deals with the consideration of the question of asking the local Government to expurge particular portions of a record. Hon. Members of this House, at any rate the lawyer section of the House, may be aware of the fact that on the question of expunging objectionable portions of records, there is a considerable diversity of opinion among the various Indian High Courts. So much so that when the Procedure Code was under consideration two years ago with a view to giving a quietus to this conflict of views, a special section was enacted in the Code of Criminal Procedure as section 561-A under which an unlimited jurisdiction was vested in the High Court to deal with cases of this description and to directly expunge objectionable matters from its own records or from pleadings or from the records of courts below, be they of the nature of pleadings or judgment or order. Such a power has been made to inhere in the High Court only quite recently and in the absence of a similar power conferring upon us any jurisdiction in the matter, it seems to me that this Council will not only be wasting its time but will be exceeding its jurisdiction."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" If I am not interrupting the hon. Member, will he be good enough to tell us whether the Criminal Procedure Code gives jurisdiction to courts of law or possibly to Government or whether it also gives jurisdiction to us? Where does the Legislative Council obtain its jurisdiction from? "

* Mr. R. SRINIVASA AYYANGAR :—" I was only referring to that aspect of the case with a view to carry conviction to the minds of hon. Members that no such jurisdiction vested in the courts till recently and the jurisdiction was only now vested in the highest tribunal of the land and that a similar jurisdiction did not vest in us. I have gone through the Government of India Act, the Rules and Standing Orders of the Legislative Council which do not in my humble judgment invest us with the jurisdiction either express or implied to give a sort of mandate to the Government to call upon some subordinate officer of Government to expunge or to cause the deletion of some objectionable paragraph from its own order or from the report of the authorities. Once the order has issued, in the absence of any special powers inhering in the Council which it is called upon to invoke and exercise with a view to bring some pressure on the Government, I fail to understand how

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we can claim this jurisdiction which does not seem to inhere in us either expressly or by necessary implication. Otherwise it will be setting up a bad precedent if every time some hon. Member of this House is censured by some authority, revenue, judicial or executive, the matter is brought on the floor of the House and the whole question gone into and that considerable discussion is made to centre round the propriety, reasonableness, legality or otherwise of the views of the officer or the Government. Therefore, I shall end as I began by saying that the admissibility of the motion is intimately connected with the question of jurisdiction and unless we are quite certain that this Council has a right to go into that matter and pass a resolution, it seems to me that I will be well advised in requesting you to rule this motion out of order."

Mr. C. RAMALINGA REDDI:—"Sir, I am in perfect agreement with my hon. Friend from Chingleput that the point of order regarding the urgency and the non-placing of the papers on the table of the House are of very minor importance. What he considered and I also consider to be a vital factor is this. Is not the transaction that we are asked to review here one primarily of a private character? My hon. Friend rests his case on an extract which he has read to the House from Mr. Courtenay's report in which in the first place the word 'public' is not mentioned. The extract, if I remember right, says that the hon. gentleman abused his position. The contention of my hon. Friend is that though the word 'public' is not there, the suggestion is clear that it was his public position that he had thus abused. And we are asked therefore on this inference to sit in judgment on Mr. Courtenay's report. Even granting that the word 'public' suggests itself whether it is there or not, my point is that there is absolutely no suggestion direct or indirect in that report that the transactions complained of were done by the hon. Member in the discharge of any of his public duties. That is the point that I wish to place before you and before this Council. If these remarks had been made on my hon. Friend Diwan Bahadur Kesava Pillai in connexion with any of his actions as a member of this Council, as a Deputy President of this House, in the discharge of any duties in his public capacity, I can quite understand our resenting aspersions on one ground or another. But supposing a public man does abuse his position but not while in the discharge of his duties as such, how does it cease to be private? That is the point that I wish to place before the House very prominently. I will once again say that we are rather in a difficult position. There is a great deal of sympathy with Mr. Kesava Pillai in this matter. On that subject I do not suppose that any assurance from me is necessary. But here we are asked to sit in judgment over a report drafted by a judicial officer who was deputed for a special purpose—I think this report was made by him in his capacity as a special officer and not as a judicial officer. We have to see whether consistently with the principles of public conduct and the dignity of this Legislative Council, we could take cognizance of transactions which were in my opinion obviously of a private character and not in the discharge of any of his public functions or incidental to the discharge of public functions. I submit this to your ruling, Mr. President, and if you are satisfied that those transactions that were complained of were done by my hon. Friend in the discharge of any of his public functions especially those relating to this

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Council, you will naturally not uphold my contention. But the mere fact that a public man is supposed to have abused his public position does not constitute the transaction a public matter. That is all my submission."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" Mr. President, Sir, I do not propose to say one word at this stage of the discussion which will have the effect of an attempt to burke discussion or full inquiry into matters which are comprised in the motion for adjournment which has been made. There are however one or two aspects of this matter which I feel it my duty to place before you, Sir, as the person immediately responsible for deciding that this motion is admissible for discussion. In placing these considerations before you, let me not be understood as saying anything by way of argument that the Government are unwilling to face the fullest possible discussion in this matter or will not face it if it becomes inevitable. Nor must I be understood in saying what I have got to say that the Government have any reason to shrink from the fullest possible publicity that can be shed upon this matter either now or hereafter. But there are one or two constitutional aspects of this question which I think it is necessary that I should place before you, Sir, in my capacity as the Member of Government in charge of the conduct of legislative business. You are perhaps aware, Sir, that one hon. Member of this House is now a defendant in a suit for libel or defamation brought at the instance of certain members of the Police department for an alleged defamatory or libellous statement contained in a question which was disallowed by you, Mr. President, but which he sent to the newspapers. Now that has been made public property. The suit is pending. It is against a Muhammadan member of this Council and the question is whether that gentleman was guilty of a libellous or defamatory statement in the course of a question addressed by him to you which you disallowed but which he sent to the newspapers. Now is this hon House prepared to adopt this precedent to go into that question and come to the conclusion that the step taken is right or wrong. It may be said, Mr. President, that that affects the public or the legislative character of the member more obviously or more thoroughly than anything that can be said in the present case."

* Mr. A. RAMASWAMI MUDALIYAR :—" May I point out, Sir, by way of reply."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" I take it, Sir, that replies are not proper at this stage and with your permission I will go on. Then, Sir, there is another case pertaining to an hon. Member of this House in which the hon. Member has brought to the notice of the Government that he has been called upon to show cause why he should not be prosecuted for something that he did in his capacity as a member of the local board. Now, is this House going to embark on that enquiry whether what he did as a member of the local board is a matter which fell partly within the jurisdiction of his activities as a member of the local board alone or as a public man, the public character connoting membership of the Legislative Council. I am only mentioning these things to you, Sir, for the purpose of showing that if you approach this problem on the footing that the gentleman concerned is a member of this House, you will thereby be starting a precedent which will have very inconvenient consequences. I do not want at this stage to say

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a word with reference to the wider proposition for which my hon. Friend made himself responsible namely that any aspersion, any insinuation against a public man in the Presidency is a competent subject for discussion in this Council so that it may declare that the Government have made a suggestion against such and such a public man which they ought not to make and that they should cancel the insinuation from their administrative report. If that is the proposition for which my hon. Friend wishes to make himself responsible, if that is the proposition to be carried by this House, that is a different matter. The fact may be that a person is a member of this House but was not concerned in particular transactions as a member of the House but in another capacity as a person who identified himself, let us say, with one or other of two contending factions in a particular district or taluk, as one who was a member of a taluk board and did some things or failed to do some things for which he becomes responsible, or as person who sent a question to the Council office which was disallowed and unfortunately was guilty of certain conduct which laid him open to the civil or criminal courts. This is the most important point which you have to decide, whether the matter is competent to be brought before the House. If this hon. House is desirous of arrogating to itself or claiming jurisdiction to say that any imputation against a public man contained in a public record or Government document is one which can attract the censure or the remarks of this House, that is a position, Sir, which we will not easily assent to. I am speaking not on my own behalf but on behalf of the whole Government when I say that the Government of Madras are not anxious to burke discussion on this matter and that they are anxious to shed as much publicity as possible, even more if necessary, than has already been given to this matter."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"In connexion with the two instances mentioned by the hon. the Law Member, I have only to bring it to the notice of this House this one difference, namely, that in the two cases mentioned by him, one is a police suit against a member of this House and the other is an impending prosecution against a member of this House. It is easily conceivable that those that were affected have got their remedies in the ordinary courts of law; but where a Government passes an order, it is clear that the Members of Government are protected by certain Acts, and it is impossible for any citizen or any subject of His Majesty to go to a court of law. That is the law as I understand it. No Member of Government is sued in a court of law for the acts done by him in the discharge of his duties, done in Government capacity. However, Sir, that is the difference between the two.

"One other point, Sir, and it is this; that we have a precedent, to be found in Ireland. When certain persons were killed in Ireland, a committee was appointed to inquire into the conduct of Mr. Parnell, though Mr. Parnell was himself a member of the House. I should like to know how this case differs from that."

* Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"I have one difficulty, Mr. President. Supposing we pass the resolution and Mr. Courtenay declines to expunge the matter, what will be the position. The report is that of Mr. Courtenay and not that of Government."

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* The hon. Sir C. P. RAMASWAMI AYYAR :—“ I may at once answer my hon. Friend from Coimbatore. I take it that the object of this motion is to ask the Government and not Mr. Courtenay, to expunge something from his report. It is not open to ask whether they will do it, or whether they could do it. That is a different matter.”

* Mr. A. RAMASWAMI MUDALIYAR :—“ I would only add, Sir, that with reference to the illustrations the Law Member has cited, in regard to matters sub-judice, this House has no jurisdiction.”

* The hon. Sir C. P. RAMASWAMI AYYAR :—“ The one is in the courts, the other is a private notice sent by a particular department or rather by one officer to a person to show cause why he should not be prosecuted. It has not gone to the courts at all.”

* Mr. A. RAMASWAMI MUDALIYAR :—“ As regards the second, there is nothing that the hon. Member can complain of. It is only a question of showing cause whether a thing should or should not be done. The hon. Member may be justified in his position and the Government may not be in a position to ask him to show further cause. As regards the other point, I shall point out that these are not judicial proceedings of any kind as my hon. Friend has pointed out. So far as the Government order is concerned, the person affected by the order has no remedy at all.”

Mr. C. RAMALINGA REDDI :—“ I would just like to ask, with your permission, my hon. Friend from Chingleput whether he would like to amend this motion, so that it is not against all the remarks that were passed against and the reflections cast on the hon. Member but only to the particular paragraph pointed out. I thought I could raise this question after your decision on the point of order.”

* Mr. A. RAMASWAMI MUDALIYAR :—“ I am glad that the hon. Member raised this point now. I have overlooked certain observations made by the hon. the Law Member which I failed to reply to. He referred to factions and heads of factions, and I do not wish to say any thing on that point. These questions will be discussed on a resolution that has been tabled. I have not the time or opportunity to go into that, but I shall make my motion definite, if necessary by saying that the passages I want to be expunged are these: The paragraph in Mr. Courtenay's report which begins with “ There is another aspect of his activities on which I must lay greater stress ” and ends with “ Mr. Hamilton has characterised the explanation as unsatisfactory ”. That is the only paragraph in Mr. Courtenay's report that I am concerned with. I have nothing to do with the local factions in this motion. I have nothing to do with the merits or demerits of Timma Reddi's or Chinnarappa Reddi's faction. I have nothing to do with whether Mr. Kesava Pillai in his public or private capacity identified himself with this party or identified himself to the same or greater extent with the other party. These are not relevant matters at all to the debate that I am going to raise, if I am allowed an opportunity of moving this motion this afternoon. I am only concerned with the reflections cast on a public worker in his public capacity—that is how I understand the language of Mr. Courtenay's report. Aware as I am, that there are differences of opinion on the merits of the question of punitive police and on the merits of

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(g) The Act (I of 1925) does not apply to Jain Religious Endowments. There appears to be no necessity to appoint a Jain as Commissioner.

The RAJA OF RAMNAD :—" May I ask the hon. the Minister, with reference to clause (b), if it is open to the members of the Religious Endowments Board to inspect temples on their own motion ? "

The hon. the RAJA OF PANAGAL :—" Yes ; I think so."

Sriman SASIBHUSHAN RATH Mahasayo :—" Do not the commissioners draw travelling allowance ? "

The hon. the RAJA OF PANAGAL :—" Yes ; they draw travelling allowance when they go on tour."

Rao Sahib U. RAMA RAO :—" With reference to answer to clause (g), viz., ' there appears to be no necessity to appoint a Jain as Commissioner ', does the hon. the Minister know that a number of Hindu temples in South Kanara are controlled by Jains ? "

The hon. the RAJA OF PANAGAL :—" Yes ; there are such temples."

Rao Sahib U. RAMA RAO :—" Is there no necessity to appoint a Jain as Commissioner ? "

The hon. the RAJA OF PANAGAL :—" There is no necessity to appoint a Jain as Commissioner."

Village Panchayats.

Employment of non-depressed classes sweepers in Narayanavaram.

* 111 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state whether the Government are aware that the Registrar-General of Panchayats objected to the village panchayat of Narayanavaram employing non-depressed classes sweepers for the three Brahman streets at the extra cost of the tax-payers ?

A.—The answer is in the negative.

Depressed classes sweepers in Narayanavaram.

* 112 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government are aware that the members of the depressed classes (scavenging classes) are now being prevented from sweeping the public Brahman streets by the Brahman residents of Narayanavaram, Chittoor district ;

(b) whether it is a fact that the members of the depressed classes (scavenging classes) were sweeping the Brahman streets in Narayanavaram, for the past six years without any obstruction whatever from the Brahman residents of Narayanavaram ;

(c) whether after the Government Order, dated 25th August 1924, passed by the Government throwing open all public roads, streets, wells tanks, etc., such oppression is being caused by the Brahmans of the village ;

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Mr. A. RANGANATHA MUDALIYAR :—" I do not know why it should not be taken up tomorrow. It is a mere accident that much Government business has not been done to-day. If this is taken up to-morrow, it is probable that feelings may get smoothened."

* Mr. A. RAMASWAMI MUDALIYAR :—" I am not anxious that the motion should be taken up to-day; for some friends have told me that they have not got a copy of Mr. Courtenay's report or of the Government Order I think it is only fair to them that they should be given time to go through the report and that this motion should be taken up to-morrow, because these are records that have not been circulated to Members of the House. They have simply taken it from the newspapers. Otherwise I am perfectly willing to have it to-day."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" If this matter should go to vote, we should have the full strength. If the matter is to come up to-morrow, from the point of view of Government and not from a personal standpoint, I should say that there are some commercial gentlemen here who will find it difficult to be present to-morrow, as it is mail day. It will be therefore convenient if it is taken up to-day or on Friday."

* The hon. the PRESIDENT :—" I am sorry I am unable to take a vote of this House upon this question. It is left to my discretion and all things considered, I think we shall have to go on with it to-day at 2-30 p.m."

" If hon. Members wish that any particular passages of Mr. Courtenay's report should be printed for their use, I shall ask the Secretary to do so at once."

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" It will be better if Government can distribute copies of the report and the order thereon."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" If there are spare copies, I shall see that they are distributed. I think hon. Members of this House had a copy of Mr. Courtenay's report."

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" No, not the report."

IV

COMMUNICATIONS TO THE COUNCIL.

(1)

The Secretary then laid on the table copies of the following orders :—

^a (i) G.O. No. 810, Development, dated 2nd June 1925, regarding the Audit Reports of the Chenat Nair Forest Scheme for 1922-23 and 1923-24.

^b (ii) G.O. No. 907, Development, dated 23rd June 1925, recording the Audit Report on Forests—Mount Stuart Working Circle—for 1923-24.

^b (iii) G.O. No. 942, Development, dated 30th June 1925, recording the Audit Report of the Fruit Preserving Institute, Coonoor, for the quarter ending 31st December 1924.

^c (iv) G.O. No. 946, Development, dated 3rd July 1925, recording Accounts and Audit Report of Fisheries—Cannery—for the quarter ending 31st December 1924.

^d (v) G.O. No. 955, Development, dated 3rd July 1925, recording the balance sheet of the Kerala Soap Institute, Calicut, for the quarter ending 31st December 1924.

^a Placed on the Editors' Table

^b Printed as Appendix XII on pages 272-278 infra.

^c Printed as Appendix XIII on pages 278-285 infra.

^d Printed as Appendix XIV on pages 285-292 infra.